

## DISTRICT OF UCLUELET

### Bylaw No. 1265, 2020

A bylaw for a regular system of fire safety inspections for the District of Ucluelet and fire service agreement areas.

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**WHEREAS** the *Fire Service Act* requires a municipal council to provide a regular system of inspection of hotels and public buildings in the municipality;

**NOW THEREFORE** the Council of the District of Ucluelet, in open meeting assembled, enacts as follows:

#### 1. Citation

- 1.1. This Bylaw may be cited as the “District of Ucluelet Fire Safety Inspection Bylaw No. 1265, 2020.”

#### 2. Schedules

- 2.1. The following schedules are attached to and form part of this Bylaw:
  - (a) Schedule A – Fines; and
  - (b) Schedule B – Fees.

#### 2. Related Legislation

- 2.1. The *British Columbia Fire Code* and *British Columbia Fire Services Act* and all amendments thereto are deemed to be in effect within the District of Ucluelet, in conjunction with this Bylaw.

#### 3. Definitions

In this Bylaw, unless the context otherwise requires:

- 3.1. “Combustible Liquid” means a liquid having a flash point at or above 37.8° C and below 93.3° C.
- 3.2. “Combustible Materials” means any material that can combust (burn) in air.

- 3.3. “Exit” means that part of a means of exit, including doorways, that leads from the floor area it serves to a separate building, an open public thoroughfare, or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare.
- 3.4. “False Alarm” means the activation of a fire alarm resulting in the direct or indirect notification of the Fire Department to attend the address of the fire alarm system, where there is in fact no incident at that address.
- 3.5. “Fire Alarm System” means multiple fire alarm devices working together to detect and warn people through visual or audio appliances when smoke, fire, carbon monoxide or other emergencies are present.
- 3.6. “Fire Chief” means the member appointed by the Chief Administrative Officer, as head of the Fire department.
- 3.7. “Fire Code” means the *British Columbia Fire Code as amended from time to time* or enacted under the *Fire Services Act*.
- 3.8. “Fire Department” means the Ucluelet Volunteer Fire Brigade.
- 3.9. “Fire Inspector” means the Fire Chief or a member of the UVFB who has been appointed by the Fire Chief, to perform fire safety inspections.
- 3.10. “Fire Separation” means a construction assembly that acts as a barrier against the spread of fire and smoke.
- 3.11. “Flammable Liquid” means a liquid having a flash point below 37.8° and having a vapour pressure not more than 275.8 kPa at 37.8°.
- 3.12. “Hazardous Process” means any operation that involves a risk from explosion, high flammability or related conditions that create a hazard to life safety.
- 3.13. “Occupant” means an agent, lessee, or licensee or any person in charge of a building or premise to which the *Fire Code* applies.
- 3.14. “Private Hydrant” means a fire hydrant that is on private property.
- 3.15. “Public Building” means any warehouse, factory, store, mill, school, hospital, theatre, public hall, office building and any building other than a private dwelling house.

- 3.16. “Sprinkler System” means all equipment forming part of or used in connection with a fire sprinkler system, including without limitation, all heads, valves piping, switches, sensors, relay equipment, and other accessories.
- 3.17. “UVFB” means the Ucluelet Volunteer Fire Brigade, which primarily operates in the Fire Protection Service Area known as the District of Ucluelet.

#### **4. Administration**

- 4.1. Fire safety inspections will be scheduled with the business owner or Occupant and will generally take place during normal business hours.
- 4.2. Notwithstanding Section 4.1, the Fire Inspector may enter, at all reasonable times, upon any real property for the purpose of administering or enforcement of this bylaw.
- 4.3. No person will prevent, obstruct, or attempt to prevent or obstruct the entry of the Fire Inspector while acting in the conduct of administering or enforcing this bylaw.

#### **5. Fire Safety Inspection Process**

- 5.1. The fire safety inspection process, including frequency of inspections, is detailed in the UVFB Operational Guidelines, as amended from time to time.

#### **6. Assistance in Inspection**

- 6.1. The owner or Occupant or representative of a building or property will, upon request, assist the Fire Inspector in carrying out the fire safety inspection.

#### **7. Fees for Inspection**

- 7.1. An owner or Occupant who requests a Fire Safety Inspection that is not a regular scheduled inspection will be subject to fees specified in Schedule B.
- 7.2. If any fire safety or *Fire Code* deficiencies are noted during the inspection process, the owner or Occupant will be charged a re-inspection fee as specified in Schedule B.
- 7.3. Outstanding inspection fees will be applied to the property’s municipal tax notice.



## **8. Issuance of Order to Comply**

- 8.1. An issuance of Order to Comply will be in writing and will be directed to either the owner or Occupant of the building or property.
- 8.2. An Order to Comply will be sufficiently served if:
  - (a) It is delivered to the owner or Occupant by hand;
  - (b) It is delivered to the owner or Occupant by registered mail;
  - (c) It is delivered to the owner or Occupant by email; or
  - (d) The person to whom the order is directed cannot be found, is not known, or refuses to accept service of the order, by posting a copy of the order in a conspicuous place on the building to which the order relates.
- 8.3. An Order to Comply will state the date by which compliance must be achieved. The date will be at the discretion of the Fire Inspector and will depend on the urgency in achieving *Fire Code* compliance.

## **9. Fire Alarm Systems**

- 9.1. The owner or Occupant of every building containing a Fire Alarm System will ensure that the system is installed, maintained, and tested in conformance with the *Fire Code* and this Bylaw.
- 9.2. Any owner or occupant who contravenes this Bylaw will be subject to the fines specified in Schedule A. Outstanding fines will be applied to the property's municipal tax notice.
- 9.3. Every contravention of this Bylaw or order issued pursuant to this Bylaw constitutes a separate offense for each day that the contravention occurs.
- 9.4. If two or more False Alarms occur in a building containing an automatic fire Sprinkler System or Fire Alarm System in a calendar year, the building owner or Occupant will be subject to the fees specified in Schedule B. Outstanding fees will be applied to the property's municipal tax notice.

## 10. Private Hydrants

- 10.1. No person shall install, remove, or replace a Private Hydrant unless the Fire Chief has approved the type, capacity, colour, and location of the hydrant.
- 10.2. The owner or Occupant will ensure that the Fire Chief is notified of any construction, servicing or repairs of a Private Hydrant.
- 10.3. The owner or Occupant of a Private Hydrant will notify the Fire Chief immediately when a Private Hydrant has been either taken out of service or put into service.
- 10.4. The owner or Occupant will ensure that each Private Hydrant is clear of obstructions and readily accessible for Fire Department use.
- 10.5. The owner or Occupant of a Private Hydrant will have all components of the hydrant inspected, serviced, and tested by a qualified Fire Protection Technician not less than once a year. The owner or Occupant will keep hydrant maintenance and service records on file.

## 11. Fire Watch

- 11.1. The owner or Occupant of any building in which the Fire Alarm System, automatic Sprinkler System, or emergency power system, or any portion thereof, is not functioning, will institute and maintain a fire watch in the building until all fire detection systems are in complete operation.

## 12. General Fire Protection and Safety

- 12.1. The owner or the Occupant of any land or building within the District of Ucluelet will:
  - (a) Maintain emergency lighting, exit lighting, and exit signs in conformance with the *Fire Code*;
  - (b) Select, inspect, test, and maintain portable fire extinguishers in conformance with the *Fire Code*;
  - (c) Provide and maintain means of egress in conformance with the *Fire Code*;
  - (d) Maintain exit doors in good repair and ensure they open freely in conformance with the *Fire Code*;

- (e) Ensure that streets, yards, and roadways provided for Fire Department access, are maintained ready for use at all times by Fire Department vehicles in conformance with the *British Columbia Fire Code*;
- (f) Ensure that the design and installation of property access gates provide adequate Fire Department vehicle access;
- (g) Maintain standpipe and hose systems, and automatic Sprinkler Systems in conformance with the *Fire Code*;
- (h) Ensure that commercial cooking equipment exhaust and fire suppression systems are installed and maintained in conformance with *Fire Code*;
- (i) Ensure that the number of people permitted to enter a room does not exceed the maximum occupant load calculated in conformance with the *Fire Code*;
- (j) Not cause or permit Combustible Materials to accumulate in quantities or locations contrary to the *Fire Code*;
- (k) Not cause or allow indoor or outdoor storage contrary to the *Fire Code*;
- (l) Not cause or allow Hazardous Process to take place contrary to the *Fire Code*;
- (m) Maintain electrical services and equipment to minimize the creation of an undue fire hazard;
- (n) Store, handle, use, and process all Flammable Liquids and Combustible Liquids in conformance with the *Fire Code*; and,
- (o) Maintain Fire Separations in conformance with the *Fire Code*;

### **13. Severability**

- 13.1. If any provision of this Bylaw is held to be invalid by any court of competent jurisdiction, that provision shall be severed, and its severance shall not affect the validity of the remainder of the Bylaw.



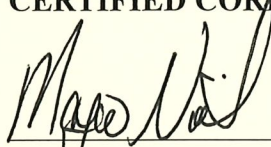
**READ A FIRST TIME** this 28<sup>th</sup> day of April, 2020.

**READ A SECOND TIME** this 28<sup>th</sup> day of April, 2020.

**READ A THIRD TIME** this 28<sup>th</sup> day of April, 2020.

**ADOPTED** this 12<sup>th</sup> day of May, 2020.

**CERTIFIED CORRECT:** "District of Ucluelet Fire Safety Inspection Bylaw No. 1265, 2020"



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Mayor Noël  
Mayor



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Mark Boysen  
Corporate Officer

**THE CORPORATE SEAL** of the  
District of Ucluelet was hereto  
affixed in the presence of:



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Mark Boysen  
Corporate Officer

**Schedule A - Fines**

<b>Offence</b>	<b>Amount</b>
Failure to provide or maintain an address sign	\$100.00
Allowing the accumulation of combustible growth or material to cause a fire hazard	\$100.00
Failure to provide, install or maintain smoke alarm(s)	\$250.00
Failure to test smoke alarm	\$250.00
Failure to install, maintain or test Fire Alarm System	\$250.00
Failure to provide fire watch	\$1,000.00
Failure to maintain emergency/exit lighting and exit signs	\$250.00
Failure to provide, test or maintain portable fire extinguisher(s)	\$250.00
Failure to provide and maintain means of egress	\$250.00
Failure to maintain exit doors	\$250.00
Failure to provide or maintain Fire Department access by roadway, yard or fire lanes	\$500.00
Failure to install or maintain a gate allowing Fire Department access	\$500.00
Failure to maintain standpipe, hose systems, and automatic Sprinkler Systems	\$250.00
Failure to install and maintain commercial cooking equipment exhaust and fire protection systems	\$250.00
Exceeding the maximum occupant load	\$300.00
Allowing Combustible Material(s) to accumulate in quantities or in locations contrary to the <i>Fire Code</i>	\$250.00
Failure to maintain indoor / outdoor storage	\$250.00
Failure to conduct Hazardous Process compliant to <i>Fire Code</i>	\$250.00
Failure to maintain electrical services/equipment	\$250.00
Failure to store, handle, use or process flammable and Combustible Liquids	\$250.00
Failure to maintain Fire Separations	\$250.00
Failure to provide access for the purpose of a fire inspection	\$250.00

\*Schedule A to District of Ucluelet Fire Inspection Bylaw No. 1265, 2020

### Schedule B – Fees



<b>Inspection Type</b>	<b>Amount</b>
Inspection (Not Regularly Scheduled)	\$125.00
Re-Inspection	\$50.00
Second Re-Inspection	\$100.00
Second False Alarm in the calendar year	\$150.00
Third False Alarm in the calendar year	\$200.00

\*Schedule B to District of Ucluelet Fire Inspection Bylaw No. 1265, 2020